

Having reviewed the record and the controlling case law, the court agrees with Magistrate Judge Bryant's decision and ADOPTS his report and recommendation for the reasons set forth in the order. Accordingly, Plaintiff will be allowed fourteen (14) days from the entry of this order in which to amend his complaint. Failure to do so will result

in the dismissal of the action without further notice to Plaintiff. Hayes, Hicks, and Dawson are hereby DISMISSED from the complaint as defendants.

IT IS SO ORDERED.

s/ **James D. Todd**
JAMES D. TODD
UNITED STATES DISTRICT JUDGE